

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

BRENDA FORTES, : **CIVIL ACTION**
Plaintiff, :
:
:
v. : **No. 12-6063**
:
BOYERTOWN AREA SCHOOL :
DISTRICT, :
Defendant. :

ORDER

AND NOW, this 18th day of July, 2014, upon consideration of the defendant's motion to dismiss (Doc. No. 7, 8) and the plaintiff's response thereto (Doc. No. 22), it is hereby **ORDERED** that the motion is **GRANTED** in part and **DENIED** in part.

The following claims of the plaintiff are **DISMISSED**:

- 1) age discrimination claims under the ADEA and PHRA;
- 2) gender and sex discrimination claims under Title VII and the PHRA;
- 3) retaliation claims under Title VII, ADA, and PHRA; and
- 4) the defamation claim.

Service of Ms. Fortes' initial complaint is **QUASHED**. The Clerk of Court is directed to issue a new summons to the plaintiff. The plaintiff shall serve the defendant on the remaining claims in accordance with Federal Rule of Civil Procedure 4.¹

BY THE COURT:

/s/Lawrence F. Stengel
LAWRENCE F. STENGEL, J.

¹ The plaintiff's race/color discrimination claims under Title VII and the PHRA and disability discrimination claims under the ADA and PHRA are not dismissed, per the accompanying memorandum.